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Application Number	09/655,252
Filing Date	September 5, 2000
First Named Inventor	Lee E. Cannon
Art Unit	3714
Examiner Name	Corbett B. Coburn
Attorney Docket Number	29757/AG20-CIP2

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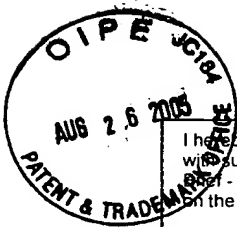
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MARSHALL, GERSTEIN & BORUN LLP Scott E. Baxendale - 41,605
Signature	<i>Scott E. Baxendale</i>
Date	August 24, 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Appeal Brief – Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 24, 2005

Signature: *Scott E. Baxendale* (Scott E. Baxendale)



AF/ 3714
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Dated: August 24, 2005

Signature:

Scott E. Baxendale
(Scott E. Baxendale)

Docket No.: 29757/AG20-CIP2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Lee E. Cannon *et al.*

Application No.: 09/655,252

Confirmation No.: 7732

Filed: September 5, 2000

Art Unit: 3714

For: METHODS AND APPARATUS FOR
PROVIDING TICKETS FROM GAMING
DEVICES AND/OR LOTTERY TERMINALS

Examiner: Corbett B. Coburn

REVISED APPEAL BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in response to the "Notification of Non-Compliant Appeal Brief" having a mail date of August 5, 2005, setting a one-month deadline for reply. Applicants have amended the form and content of the Appeal Brief to comply with 37 C.F.R. § 41.37. The fees required under 37 C.F.R. § 41.20(b)(2) were submitted with the previous Appeal Brief filing, and therefore no fees are believed due at this time. Consideration of the merits of Applicants' Appeal Brief is respectfully requested.

This brief contains items under the following headings as required by 37 C.F.R. § 41.37 and M.P.E.P. § 1206:

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|-------|--|
| I. | Real Party In Interest |
| II | Related Appeals, Interferences, and Judicial Proceedings |
| III. | Status of Claims |
| IV. | Status of Amendments |
| V. | Summary of Claimed Subject Matter |
| VI. | Grounds of Rejection to be Reviewed on Appeal |
| VII. | Arguments |
| VIII. | Conclusion |

Appendix A	Claims Involved in Appeal
Appendix B	Evidence
Appendix C	Related Proceedings

I. REAL PARTY IN INTEREST

The real party in interest in the application on Appeal is IGT, the assignee of the present application. An assignment signing rights in the present application to IGT was recorded in the United States Patent and Trademark Office at reel 14277, frame 0776.

II. RELATED APPEALS, INTERFERENCES, AND JUDICIAL PROCEEDINGS

There is an appeal filed on April 22, 2005 for U.S. Pat. Appl. Serial No. 10/353,689, filed on January 19, 2003, that may directly affect or be directly affected by, or have a bearing on the Board's decision in the pending appeal. Both patent applications under appeal claim priority to U.S. Patent No. 6,113,098, and both appeals present similar issues on appeal regarding rejections in view of the same prior art.

III. STATUS OF CLAIMS

Currently, claims 48-50, 54, 55, 57-85, 87, 88 and 90-126 are pending, with the prior art rejections claims 48-50, 54, 55, 57-84 and 90-126 being hereby appealed. Claims 85, 87 and 88 are not the subject of prior art rejections, but, along with the other pending claims are provisionally rejected for obviousness-type double patenting over the claims of co-pending U.S. Pat. Appl. Serial No. 10/353,689. Claims 85, 87 and 88 are not presently being appealed. The pending claims being appealed are reproduced in appendix A to this brief.

IV. STATUS OF AMENDMENTS

No amendments have been filed subsequent to the final rejection dated November 22, 2004. All previous amendments have been entered and are reflected in the claims reproduced in appendix A.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The pending application is directed to methods and apparatus for providing tickets from games of chance, such as gaming devices and lottery terminals, that are not gaming

awards, and are not dispensed based on a player achieving a winning outcome at the gaming device or lottery terminal.

Independent claim 48 is directed to a gaming device (100, 200, 300, 400, 510) and includes a currency receiver (coin slot 114, bill validator 118) being adapted to receive at least one medium of currency. (Specification, page 5, lines 17-18).¹ The gaming device further includes a display device (display reels 110) being adapted to display indicia corresponding to an outcome of a wagering game, with the outcome of an occurrence of the wagering game being at least partially randomly determined. (Specification, page 5, lines 10-17). A first output device (*e.g.*, ticket dispenser 160, payout chutes 220, 320) is adapted to dispense a gaming award based on the occurrence of a predetermined winning outcome or cumulative result of a plurality of outcomes during the occurrence of the wagering game after depositing at least a minimum amount of the at least one medium of currency in the currency receiver. (Specification, page 5, lines 17-18 and 24-26, and page 6, lines 3-12). The gaming device further includes a second output device (160, 260, 360) adapted to dispense a ticket that is not a gaming award after the occurrence of a triggering event. (Specification, page 5, lines 17-18 and 28, and page 6, lines 3-5). The triggering event is not the occurrence of a predetermined winning outcome or a cumulative result of a plurality of winning outcomes of the wagering game, and the triggering event is not every occurrence of the wagering game. (*e.g.*, Specification, page 6, line 24 through page 7, line 11 (dispensing tickets in response to signals generated by the gaming establishment and/or a remote location); page 7, lines 16-21 (dispensing tickets at random times throughout the day, either dependent upon or independent of the gaming device being played at the time); page 7, lines 22-28 (dispensing tickets at one gaming device based on outcomes occurring on other gaming devices)).

Independent claim 84 is directed to a method of conducting a wagering game of chance. The method includes providing a player with an opportunity to place a wager, (Specification, page 5, lines 17-18 (coin slot 114 and bill validator 118 receiving currency)), and providing a gaming unit for playing a wagering game, the outcome of an occurrence of the wagering game being at least partially randomly determined. (Specification, page 5, lines 10-17). The method may further include providing the player of the gaming device with a

¹ The cited references to the specification correspond to locations within the clean version of the substitute specification filed on January 15, 2002.

gaming award based on the occurrence of a predetermined outcome during the occurrence of the wagering game. (Specification, page 5, lines 17-18 and 28, and page 6, lines 3-5). Still further, the method includes dispensing a ticket that is not a gaming award to the player after the occurrence of a triggering event, wherein the triggering event is not the occurrence of a winning outcome or a cumulative result of a plurality of winning outcomes of the wagering game, and wherein the triggering event is not every occurrence of the wagering game. (*e.g.*, Specification, page 6, line 24 through page 7, line 11; page 7, lines 16-21; page 6, lines 22-28).

Independent claim 116 is directed to a method of conducting a wagering game on an electronic gaming device (100, 200, 300, 400, 510). The method includes providing a player with an opportunity to place a wager and to play the wagering game at the wagering device, wherein the outcome of each occurrence of the wagering game is at least partially randomly determined. (Specification, page 5, lines 10-17). The method also includes accumulating comp points for the player as the player plays the wagering game, wherein the comp points are determined independent of the outcome of the randomly determined wagering game and the skill of the player. (Specification, page 15, line 18 through page 16, line 11). The method further includes displaying a visible indication of the player's accumulated comp points at the gaming device. (Specification, page 14, lines 15-27). Still further, the method includes providing the player with the opportunity to redeem at least a portion of the accumulated comp points at the gaming device via an input device. (Specification, page 14, lines 17-27).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The issues presented on appeal are:

1) Whether claims 48-50, 54, 55, 59-63, 78-84, 92-97 and 111-115 are obvious over Kelly *et al.*, U.S. Patent No. 5,816,918, in view of Deaton *et al.*, U.S. Patent No. 5,642,485.

2) Whether claims 57, 58, 90 and 91 are obvious over Kelly *et al.* and Deaton *et al.* in further view of Harlick, U.S. Patent No. 5,941,773.

3) Whether claims 64 and 98 are obvious over Kelly *et al.* and Deaton *et al.* in further view of Harrison, U.S. Patent No. 5,934,671.

4) Whether claims 65, 66 and 99 are obvious over Kelly *et al.* and Deaton *et al.* in further view of Baerlocher *et al.*, U.S. Patent No. 5,788,573.

5) Whether claims 67-77 and 100-110 are obvious over Kelly *et al.* and Deaton *et al.* in further view of Mullins, U.S. Patent No. 5,158,293.

6) Whether claims 116-122 are obvious over Kelly *et al.*, U.S. Patent No. 5,816,918 in view of Deaton *et al.*, U.S. Patent No. 5,642,485.

7) Whether claims 123-126 are obvious over Kelly *et al.* and Deaton *et al.* in further view of Boushy, U.S. Patent No. 5,761,647.

VII. ARGUMENTS

1. *Claims 48-50, 54, 55, 59-63, 78-84, 92-97 and 111-115 are not obvious in light Kelly et al., U.S. Patent No. 5,816,918 in view of Deaton et al., U.S. Patent No. 5,642,485.*

The Examiner through three actions now has maintained the rejection of such claims as obvious over this combination of art. Likewise, Appellants have consistently maintained that such a combination is impermissible. Failing to convince the Examiner of this stance, we now bring the matter before the board for a correct application of the law.

- a. Kelly *et al.* and Deaton *et al.* fail to disclose or suggest dispensing a ticket that is not a gaming award from a gaming device

The claims in question specify, *inter alia*, a gaming devices and methods of conducting a wagering game wherein both a gaming award is dispensed in response to winning outcomes of a wagering game and a ticket that is not a gaming award is dispensed in response to a triggering event. The triggering event for the non-gaming award ticket is not the occurrence of predetermined winning outcome or cumulative result of a plurality of winning outcomes of the wagering game, and is not every occurrence of the wagering game. The combined references simply fail to disclose each and every one of these elements, and moreover, one of ordinary skill in the art would never look to the teachings of these disparate

arts or be provided with any motivation to combine their teachings in the first place. Accordingly, the obviousness rejection should be withdrawn.

The examiner bears the initial burden, on review of the prior art or on any other ground, of presenting a *prima facie* case of unpatentability, and if examination at the initial stage does not produce a *prima facie* case of unpatentability, then without more the Appellant is entitled to grant of the patent.² In order to establish a *prima facie* case of obviousness, there must be *actual evidence* of a suggestion to modify a prior art reference or to combine two prior art references, and the suggestion to combine or modify the prior art must be *clear and particular*.³ The mere fact that references *can* be modified is *not* sufficient to establish a *prima facie* case of obviousness.⁴ The suggestion to combine references must be from the *prior art*, not Appellants' disclosure.⁵

Kelly *et al.* teaches dispensing tickets from a universal ticket dispenser 20 and a specific ticket dispenser 22 based on a player achieving a predetermined goal or task during a game. See Kelly *et al.*, column 8, lines 25-32. The tickets dispensed by the dispensers 20 and 22 are then redeemable for prizes at prize booths or prize vending machines at the arcade. Kelly *et al.*, column 8, lines 40-48. The amount of the tickets dispensed to the player is based upon a game score or other result of a game process, or achievement of special or progressive goals by the player. See Kelly *et al.*, column 9, lines 21-25. Consequently, the only tickets dispensed by Kelly's game unit are game awards.

² *In re Oetiker*, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992).

³ See, e.g., *In re Dembiczak*, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999), where the Court of Appeals for the Federal Circuit stated:

We have noted that evidence of a suggestion, teaching, or motivation to combine may flow from the prior art references themselves, the knowledge of one of ordinary skill in the art, or, in some cases, from the nature of the problem to be solved...

* * *

The range of sources available, however, does not diminish the requirement for **actual evidence**. That is, the showing must be **clear and particular**. Broad conclusory statements regarding the teaching of multiple references, standing alone, are **not 'evidence.'** (emphasis added, citations omitted).

⁴ See Section 2143.01 of the M.P.E.P., which states: "The mere fact that references *can* be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 U.S.P.Q. 2d 1430 (Fed. Cir. 1990)" (emphasis original).

⁵ See Section 2143 of the M.P.E.P., which states: "The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."

There is no ambiguity or reasonable doubt that Kelly *et al.* discloses dispensing promotional coupons that are gaming awards. In one embodiment, the tickets dispensed from the gaming units based on the outcome of games are redeemed for prizes, one of which may be a promotional coupon. See Kelly *et al.*, column 8, lines 54-63. In another embodiment, promotional coupons are dispensed as a specific prize ticket from the specific prize ticket dispenser 22 based on the outcome of the game. See Kelly *et al.*, column 8, lines 63-67. Therefore, the promotional coupons, along with all the other prizes for the game are either dispensed from the game units as game awards or received in exchange for the tickets dispensed as game awards, in which case the prizes are not even dispensed from the gaming unit. By teaching the awarding of prizes such as merchandise, souvenirs, food items and other physical goods and services based on the outcome of the game at the gaming unit, Kelly *et al.* actually teaches away from dispensing such goods and services, or coupons for such prizes, as something other than gaming awards as recited in the claims. A player must have a successful outcome to the game in order to receive tickets or prizes. For these reasons, Kelly *et al.* provides no clear and particular actual evidence of a suggestion or motivation for dispensing tickets that are not gaming awards from a gaming unit, and in fact teaches away from doing so by disclosing the awarding of many different types of prizes, including goods and services, as game awards.

Deaton *et al.* does not provide a suggestion or motivation for dispensing tickets at a gaming unit that are not game awards because Deaton *et al.* relates to point-of-sale terminal units or registers, and not to gaming units. The Examiner accurately points out that Deaton *et al.* does not disclose issuing coupons that are not gaming awards, or dispensing coupons in response to a triggering event that is not a predetermined winning outcome of a wagering game or a cumulative result of a plurality of winning outcomes of a wagering game. These are not surprising conclusions in view of the fact that Deaton *et al.* is a patent relating to *cash registers*. Cash registers and other point-of-sale terminals do not issue gaming awards, do not store credits for playing wagering game, and do not receive wagers because they are altogether unrelated to wagering games. Deaton *et al.* contains no disclosure or suggestion of implementing its system in gaming units or in a gaming environment and, therefore, provides no clear and particular actual evidence of a suggestion or motivation for dispensing coupons

from a gaming unit in addition to the game awards dispensed by the gaming unit as recited in the claims.

- b. The Examiner fails to identify proper suggestion or motivation to combine the applied reference in the manner proposed in the Office actions

In the comments accompanying the rejection of these claims in the November 22 2004 final Office Action, the Examiner states in conclusory fashion that it would be obvious to modify Kelly *et al.* in view of Deaton *et al.* “in order to encourage the player to return to the current gaming location in the future.” The statement is not supported by the Examiner with any actual evidence, let alone clear and particular evidence, of a suggestion or motivation to combine the references in the manner proposed by the Examiner. As discussed above, neither reference provides a suggestion or motivation for being combined with the other reference. Moreover, the Examiner does not cite to any other reference to support the proposed combination of these two particular references.

The Examiner’s Response to Arguments previously submitted by the Appellants in the November 22, 2004 final Office Action and March 11, 2005 Advisory Action do nothing more than state in conclusory terms that casinos and grocery stores are both motivated to build and maintain customer loyalty and, therefore, have sufficient motivation to combine Kelly *et al.* and Deaton *et al.* Of course, virtually every commercial endeavor is motivated to build and maintain customer loyalty, including the automobile industry and any other producer and seller of goods, the software industry, service industries such as accounting and the legal profession, and even the United States Patent and Trademark Office. Under the Examiner’s analysis, references from any two industries may be combined if the businesses within the industries want to encourage customers to return for repeat business. Appellants respectfully assert, and are supported by the authority cited above, that the Examiner *must* provide actual evidence of the suggestion or motivation to combine the particular references being applied in order to establish a *prima facie* case of obviousness. Appellants respectfully submit that the conclusory and unsupported assertions of the Examiner in support of the proposed combination do not satisfy this burden.

Given the absence of supporting evidence for the Examiner’s assertions regarding the motivation to combine the references, Appellants respectfully submit that the Examiner is

impermissibly using the Appellants' own specification to provide the suggestion for the proposed combination. The Federal Circuit has noted the impropriety of such an analysis:

Measuring a claimed invention against the standard established by section 103 requires the oft-difficult but critical step of casting the mind back to the time of invention, to consider the thinking of one of ordinary skill in the art, guided only by the prior art references and the then-accepted wisdom in the field. Close adherence to this methodology is especially important in the case of less technologically complex inventions, where the very ease with which the invention can be understood may prompt one 'to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher.' Our case law makes clear that the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references.

* * *

Combining prior art references without evidence of such a suggestion, teaching, or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability --the essence of hindsight.⁶

Without the Appellants' own disclosure, no actual evidence exists of a motivation for modifying Kelly *et al.* to dispense tickets that are not gaming awards. As noted above, Kelly *et al.* even teaches away from dispensing such tickets by providing tickets or coupons as game awards that are redeemable for other goods and services. Moreover, even with the Appellants' disclosure, it is tenuous to suggest that a person skilled in the gaming art would look to a point-of-sale terminal system for dispensing an additional non-gaming award from a gaming unit. The only motivation for the claimed invention is provided by the Appellants' own specification, the use of which constitutes impermissible hindsight analysis.

In light of all the foregoing, Appellants respectfully request the obviousness rejection of claims 48-50, 54, 55, 59-63, 78-84, 92-97 and 111-115 be reversed.

⁶ *In re Dembiczak*, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 2000) (citations omitted) (emphasis added).

2. *Claims 57, 58, 90 and 91 are not obvious in light of Kelly et al. and Deaton et al. in further view of Harlick, U.S. Patent No. 5,941,773.*

Claims 57 and 58 depend from the above-referenced claim 48, and claims 90 and 91 depend from the above-referenced claim 84, and thus include at least the same elements. However, for the purpose of showing a triggering events being a randomly determined occurrence of the wagering game or a randomly determined time, the Harlick reference is cited. While Harlick may or may not disclose particular triggering events, Harlick awards jackpot prizes to the players, and does not disclose dispensing tickets that are not gaming awards from a gaming device. As a result, Harlick does not provide either the element of dispensing non-gaming award tickets, or the motivation for combining references as detailed in the argument outlined above. Accordingly, Appellants respectfully submit that the rejection of dependent claims 57, 58, 90 and 91 should be reversed as well.

3. *Claims 64 and 98 are not obvious in light of Kelly et al. and Deaton et al. in further view of Harrison, U.S. Patent No. 5,934,671.*

Claims 64 and 98 depend from the above-referenced independent claims and thus include at least the same elements. Admitting that Kelly *et al.* and Deaton *et al.* fail to disclose the award of scratch-off tickets, the Examiner relies upon the Harrison reference. Harrison teaches a particular kind of scratch-off tickets, but does not teach dispensing the tickets from any device whatsoever, let alone as non-gaming award tickets that are dispensed from a gaming device in response to triggering events are recited in the independent claims. Consequently, Harrison thus adds nothing to the equation or the argument outlined above. Accordingly, Appellants respectfully submit that the rejection of dependent claims 64 and 98 should be reversed as well.

4. *Claims 65, 66 and 99 are not obvious in light of Kelly et al. and Deaton et al. in further view of Baerlocher et al., U.S. Patent No. 5,788,573.*

Claims 65, 66 and 99 also depend from the above-referenced independent claims and thus include at least the same elements. However, for the purpose of showing a secondary gaming unit displaying secondary indicia, the Baerlocher *et al.* reference is cited. While Baerlocher *et al.* may or may not disclose a secondary gaming unit, Baerlocher *et al.* is completely silent with regard to dispensing anything from a gaming device, let alone tickets

that are not gaming awards, and thus adds nothing to the equation or the argument outlined above. Accordingly, Appellants respectfully submit that the rejection of dependent claims 65, 66 and 99 should be reversed as well.

5. *Claims 67-77 and 100-110 are not obvious in light of Kelly et al. and Deaton et al. in further view of Mullins, U.S. Patent No. 5,158,293.*

Claims 67-77 and 100-110 depend from the above-referenced independent claim 21 and further specify that the gaming device may include an input device for player selection of indicia for a drawing. Admitting that Kelly *et al.* and Deaton *et al.* fail to disclose the details of a lottery, the Examiner relies upon the Mullins reference. However, regardless of the lottery details disclosed by Mullins, the reference is silent with respect to the dispensing of tickets from a gaming device that are not gaming awards and thus, again adds nothing to the argument referenced above. In light of this, Appellants respectfully submit that the rejection of dependent claims 67-77 and 100-110 should be reversed as well for the reasons discussed above.

6. *Claims 116-122 are not obvious in light Kelly et al., U.S. Patent No. 5,816,918 in view of Deaton et al., U.S. Patent No. 5,642,485.*

Independent method claim 116 and the claims depending therefrom specify the accumulation of comp points for the players independent of the outcome of the randomly determined wagering game and the skill of the player. As discussed above, Kelly *et al.* only discloses awarding credits/award tickets based on winning outcomes of the wagering game and, therefore, are directly dependent on the outcome of the game. Consequently, the points accumulated in Kelly *et al.* cannot be comp points accumulated independent of the outcome of the game as recited in claims 116-122, and therefore Kelly *et al.* does not teach that limitation. As further discussed above, Deaton *et al.* is unrelated to gaming and, for obvious reasons, does not disclose accumulating comp points on a game device conducting a wagering game. Deaton *et al.* does not teach or suggest anything about wagering games and, consequently provides no motivation for being combined with wagering games. As still further discussed above, the Examiner provides no clear and particular actual evidence of a motivation to combine the references as proposed and, if anything, impermissibly uses hindsight analysis based on the applicants own specification to arrive at the proposed

combination. Accordingly, for the foregoing reasons Appellants respectfully submit that the rejection of claims 116-122 should be reversed as well.

7. *Claims 123-126 are not obvious in light of Kelly et al. and Deaton et al. in further view of Boushy, U.S. Patent No. 5,761,647.*


Claims 123-126 depend from the above-referenced claim 116 and thus include at least the same elements. However, for the purpose of showing the awarding of comp values according to different comp criteria, the Boushy reference is cited. As discussed above, Kelly *et al.* does not teach accumulating comp points as recited in the claims. Independent claim 116 further recites displaying a visible indication of the player's comp points at the gaming device. Because Kelly *et al.* does not teach comp points, it necessarily does not disclose displaying the comp points at the gaming device. While Boushy may disclose aspects of awarding and accumulating comp points, Boushy is completely silent with regard to displaying a visible indication of accumulated comp points at a gaming device. Thus, for these reasons the combination of three references fails to render obvious independent claim 116, let alone the claims depending therefrom. Accordingly, Appellants respectfully submit that the rejection of dependent claims 123-126 should be reversed as well.

VIII. CONCLUSION

For the foregoing reasons, it is respectfully submitted that a *prima facie* case of unpatentability has not been made. Appellants therefore request that the rejection of the claims be reversed.

Dated: August 24, 2005

Respectfully submitted,

By: 
Scott E. Baxendale
Registration No.: 41,605
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Attorney for Appellants

APPENDIX A: CLAIMS INVOLVED IN THE APPEAL

48. A gaming device comprising:

a currency receiver being adapted to receive at least one medium of currency;

a display device being adapted to display indicia corresponding to an outcome of a wagering game, the outcome of an occurrence of the wagering game being at least partially randomly determined;

a first output device adapted to dispense a gaming award based on the occurrence of a predetermined winning outcome or cumulative result of a plurality of outcomes during the occurrence of the wagering game after depositing at least a minimum amount of the at least one medium of currency in the currency receiver; and

a second output device adapted to dispense a ticket that is not a gaming award after the occurrence of a triggering event, wherein the triggering event is not the occurrence of a predetermined winning outcome or a cumulative result of a plurality of winning outcomes of the wagering game, and wherein the triggering event is not every occurrence of the wagering game.

49. A gaming device according to claim 48, wherein the display device comprises at least one reel display.

50. A gaming device according to claim 48, wherein the display device is a video display.

54. A gaming device according to claim 48, wherein the triggering event is a predetermined number of occurrences of the wagering game having non-winning outcomes that do not result in providing a gaming award, wherein the predetermined number of occurrences is greater than one.

55. A gaming device according to claim 48, wherein the triggering event is a predetermined number of occurrences of the wagering game having non-winning outcomes that do not result in providing a gaming award, wherein the predetermined number of occurrences of the wagering game with non-winning outcomes occurs within a predetermined time period.

57. A gaming device according to claim 48, wherein the triggering event is a randomly determined occurrence of the wagering game.

58. A gaming device according to claim 48, wherein the triggering event is a randomly determined time that is not dependant on an occurrence of the wagering game.

59. A gaming device according to claim 48, further comprising a player tracking card receptacle, wherein the triggering event is at least partially dependant on a player tracking card being disposed within the player tracking card receptacle.

60. A gaming device according to claim 48, wherein the tickets dispensed by the second output device are promotional tickets.

61. A gaming device according to claim 48, wherein the tickets dispensed by the second output device are redeemable for one occurrence of the wagering game.

62. A gaming device according to claim 48, wherein the tickets dispensed by the second output device are redeemable for one occurrence of a second wagering game on a second gaming device.

63. A gaming device according to claim 48, wherein the tickets dispensed by the second output device are redeemable for services provided by a gaming establishment.

64. A gaming device according to claim 48, wherein the tickets dispensed by the second output device are scratch-off tickets.

65. A gaming device according to claim 48, further comprising a secondary game unit comprising a secondary display device being adapted to display a randomly selected portion of secondary indicia corresponding to an outcome of a secondary event occurring at the gaming device, wherein a gaming award is dispensed upon occurrence of a winning secondary outcome.

66. A gaming device according to claim 65, wherein the secondary game device comprises a wheel.

67. A gaming device according to claim 48, wherein the tickets dispensed by the second output device are one of redeemable for one occurrence of the wagering game and entries in a drawing.

68. A gaming device according to claim 48, wherein the tickets dispensed by the second output device are entries in a drawing and redeemable for one occurrence of the wagering game

69. A gaming device according to claim 48, wherein the second output device dispenses a ticket redeemable for one occurrence of the wagering game and a ticket representing an entry in a drawing upon the occurrence of the triggering event.

70. A gaming device according to claim 48, wherein the tickets dispensed by the second output device are entries in a drawing.

71. A gaming device according to claim 70, further comprising a selection device being adapted to select at least one indicia from a predetermined set of drawing indicia.

72. A gaming device according to claim 71, wherein the selection device is adapted to select the at least one drawing indicia randomly.

73. A gaming device according to claim 71, wherein the drawing indicia are numbers.

74. A gaming device according to claim 70, further comprising an input device being adapted to be operated by a player to select at least one of the drawing indicia.

75. A gaming device according to claim 74, wherein the input device comprises a keypad.

76. A gaming device according to claim 74, wherein the input device comprises a touch screen.

77. A gaming device according to claim 74, wherein the drawing indicia are numbers.

78. A gaming device according to claim 48, wherein the tickets dispensed by the second output device are different in form from the gaming award.

79. A gaming device according to claim 48, wherein the second output device comprises a printer.

80. A gaming device according to claim 79, wherein the printer prints indicia corresponding to at least one of a plurality of signals generated at a location remote from the gaming device.

81. A gaming device according to claim 80, wherein the plurality of signals are generated by a gaming establishment.

82. A gaming device according to claim 81, wherein the plurality of signals are generated in direct response to operator input.

83. A gaming device according to claim 79, further comprising an input device being adapted to be operated by a player, wherein the printer prints indicia corresponding to at least one of a plurality of signals generated in response to the operation of the input device by the player.

84. A method of conducting a wagering game of chance comprising the steps of:
providing a player with an opportunity to place a wager;
providing a gaming unit for playing a wagering game, the outcome of an occurrence of the wagering game being at least partially randomly determined;
providing the player of the gaming device with a gaming award based on the occurrence of a predetermined outcome during the occurrence of the wagering game; and
dispensing a ticket that is not a gaming award to the player after the occurrence of a triggering event, wherein the triggering event is not the occurrence of a winning outcome or a

cumulative result of a plurality of winning outcomes of the wagering game, and wherein the triggering event is not every occurrence of the wagering game.

90. A method of conducting a wagering game of chance according to claim 84, wherein the triggering event is a randomly determined occurrence of the wagering game.

91. A method of conducting a wagering game of chance according to claim 84, wherein the triggering event is a randomly determined time that is not dependant on an occurrence of the wagering game.

92. A method of conducting a wagering game of chance according to claim 84, comprising providing player identification information for the player to the gaming device, wherein the triggering event is at least partially dependant on providing player identification information to the gaming device.

93. A method of conducting a wagering game of chance according to claim 92, comprising providing player identification information for the player to the gaming device via a player tracking card.

94. A method of conducting a wagering game of chance according to claim 84, wherein the dispensed tickets are promotional tickets.

95. A method of conducting a wagering game of chance according to claim 84, wherein the dispensed tickets are redeemable for one occurrence of the wagering game.

96. A method of conducting a wagering game of chance according to claim 84, wherein the dispensed tickets are redeemable for one occurrence of a second wagering game on a second gaming device.

97. A method of conducting a wagering game of chance according to claim 84, wherein the dispensed tickets are redeemable for services provided by a gaming establishment.

98. A method of conducting a wagering game of chance according to claim 84, wherein the dispensed tickets dispensed are scratch-off tickets.

99. A method of conducting a wagering game of chance according to claim 84, comprising providing a secondary game unit being adapted to display a randomly selected portion of secondary indicia, wherein an award is dispensed upon occurrence of a winning secondary outcome.

100. A method of conducting a wagering game of chance according to claim 84, wherein the dispensed tickets are one of redeemable for one occurrence of the wagering game and entries in a drawing.

101. A method of conducting a wagering game of chance according to claim 84, wherein the dispensed tickets are entries in a drawing and redeemable for one occurrence of the wagering game

102. A method of conducting a wagering game of chance according to claim 84, comprises dispensing upon the occurrence of the triggering event a ticket redeemable for one occurrence of the wagering game and a ticket representing an entry in a drawing.

103. A method of conducting a wagering game of chance according to claim 84, wherein the dispensed tickets are entries in a drawing.

104. A method of conducting a wagering game of chance according to claim 103, comprising selecting at least one indicia from a predetermined set of drawing indicia.

105. A method of conducting a wagering game of chance according to claim 104, comprising configuring the gaming unit to select the at least one indicia from the predetermined set of drawing indicia randomly.

106. A method of conducting a wagering game of chance according to claim 104, wherein the drawing indicia are numbers.

107. A method of conducting a wagering game of chance according to claim 103, comprising providing an input device being adapted to be operated by a player to select at least one of the drawing indicia.

108. A method of conducting a wagering game of chance according to claim 107, wherein the input device comprises a keypad.

109. A method of conducting a wagering game of chance according to claim 107, wherein the input device comprises a touch screen.

110. A method of conducting a wagering game of chance according to claim 107, wherein the drawing indicia are numbers.

111. A method of conducting a wagering game of chance according to claim 84, wherein the dispensed tickets are different in form from the gaming award.

112. A method of conducting a wagering game of chance according to claim 84, comprising printing indicia on the tickets corresponding to at least one of a plurality of signals generated at a location remote from the gaming device.

113. A method of conducting a wagering game of chance according to claim 112, comprising generating the plurality of signals at a gaming establishment.

114. A method of conducting a wagering game of chance according to claim 112, comprising generating the plurality of signals in direct response to operator input.

115. A method of conducting a wagering game of chance according to claim 112, comprising printing indicia on the tickets corresponding to at least one of a plurality of signals generated in response to the player operating an input device of the gaming device.

116. A method of conducting a wagering game on an electronic gaming device comprising the steps of:

providing a player with an opportunity to place a wager and to play the wagering game at the wagering device, wherein the outcome of each occurrence of the wagering game is at least partially randomly determined;

accumulating comp points for the player as the player plays the wagering game wherein the comp points are determined independent of the outcome of the randomly determined wagering game and the skill of the player;

displaying a visible indication of the player's accumulated comp points at the gaming device; and

providing the player with the opportunity to redeem at least a portion of the accumulated comp points at the gaming device via an input device.

117. A method of conducting a wagering game on an electronic gaming device according to claim 116, comprising displaying at least one redemption option to a player at the gaming device.

118. A method of conducting a wagering game on an electronic gaming device according to claim 117, comprising changing the display of the at least one redemption option of the gaming device.

119. A method of conducting a wagering game on an electronic gaming device according to claim 116, comprising requiring player input at the gaming device prior to displaying the player's accumulated comp points.

120. A method of conducting a wagering game on an electronic gaming device according to claim 116, comprising requiring player input at the gaming device prior to redemption of accumulated comp points.

121. A method of conducting a wagering game on an electronic gaming device according to claim 116, wherein providing the player with the opportunity to redeem at least a portion of the accumulated comp points comprises dispensing from the gaming device a ticket redeemable for at least one of goods and services comprising displaying at least one redemption option to a player at the gaming device.

122. A method of conducting a wagering game on an electronic gaming device according to claim 121, wherein providing the player with the opportunity to redeem at least a portion of the accumulated comp points comprises printing a ticket at the gaming device.

123. A method of conducting a wagering game on an electronic gaming device according to claim 116, comprising accumulating a plurality of comp values according to different comp criteria.

124. A method of conducting a wagering game on an electronic gaming device according to claim 123, wherein each of the plurality of comp values has corresponding comp awards.

125. A method of conducting a wagering game on an electronic gaming device according to claim 124, wherein each comp value of the plurality of comp values has a different corresponding comp award.

126. A method of conducting a wagering game on an electronic gaming device according to claim 123, comprising providing the player with an opportunity to continue accumulating comp value according to a comp criteria after the player has reached a comp value level which qualifies for a comp award.

APPENDIX B: EVIDENCE

Not Applicable.

APPENDIX C: DECISIONS IN RELATED PROCEEDINGS

The Board has not rendered a decision in the pending appeal identified in Section II.